

STANDING CHAPTER 13 TRUSTEE ALJUANRO OLIVERAS RIVERA  
REPORT OF ACTION TAKEN  
MEETING OF CREDITORS

In re:

LUIS IGNACIO RIVERA PEREZ

Case No. 19-03569-ESL

SILVIA ENID MORALES MORENO

Chapter 13

Attorney Name: ROBERTO FIGUEROA CARRASQUILLO\*

<b>I. Appearances</b> Debtor <span style="margin-left: 20px;"><input checked="" type="checkbox"/> Present</span> <span style="margin-left: 20px;"><input type="checkbox"/> Absent</span> Joint Debtor <span style="margin-left: 20px;"><input checked="" type="checkbox"/> Present</span> <span style="margin-left: 20px;"><input type="checkbox"/> Absent</span> Attorney for Debtor <span style="margin-left: 20px;"><input checked="" type="checkbox"/> Present</span> <span style="margin-left: 20px;"><input type="checkbox"/> Absent</span> <input type="checkbox"/> <b>Prose</b> <input checked="" type="checkbox"/> <b>Appearing:</b> Roberto Figuero Carrasquillo, Esq.	<b>Date &amp; Time:</b> 7/31/2019 10:55:00AM <input checked="" type="checkbox"/> <b>R</b> <span style="margin-left: 20px;"><input type="checkbox"/> <b>NR</b></span> <span style="margin-left: 20px;"><b>LV:</b> to be determined.</span> <input checked="" type="checkbox"/> <b>This is debtor(s) 1 Bankruptcy filing.</b> <b>Creditors:</b> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <u>Banco Popular de P.R. by Mrs. Doris Vilches</u> </div>
<b>II. Oath Administered</b> <span style="margin-left: 40px;"><input checked="" type="checkbox"/> <b>Yes</b></span> <span style="margin-left: 40px;"><input type="checkbox"/> <b>No</b></span>	
<b>III. Plan</b> <b>Date:</b> 06/24/2019 <span style="margin-left: 20px;"><b>Base:</b> \$10,200.00</span> <span style="margin-left: 20px;"><b>Payments</b> 1 made out of 1 due.</span> <b>Confirmation Hearing Date:</b> 9/4/2019 9:30:00AM <b>Evidence of Pmt shown:</b>	
<b>Attorney's fees as per R. 2016(b)</b> <div style="margin-top: 10px;"> <span style="margin-right: 20px;">\$4,000.00</span> <span style="margin-right: 20px;">- \$900.00</span> <span>= \$3,100.00</span> </div>	
<b>IV. Status of Meeting</b> <input checked="" type="checkbox"/> <b>Closed</b> <span style="margin-left: 20px;"><input type="checkbox"/> <b>Not Held</b></span> <span style="margin-left: 20px;"><input type="checkbox"/> <b>Held/Continued</b></span> <input type="checkbox"/> <b>Held/Not Closed</b>  <input type="checkbox"/> <b>Continued</b> <b>Continued Date:</b> <b>Comments:</b>	
<input type="checkbox"/> <b>M.T.D. to be filed by Trustee: Debtor(s) failed to:</b> <input type="checkbox"/> <b>Appear:</b> <input type="checkbox"/> <b>Commence payments</b> <input type="checkbox"/> <b>Keep payments current</b> <input type="checkbox"/> <b>does (do) not qualify as a debtor (§109):</b> <input type="checkbox"/> <b>MTD Already filed, see Docket:</b> <input type="checkbox"/> <b>Other:</b>	

STANDING CHAPTER 13 TRUSTEE ALJUANRO OLIVERAS RIVERA  
REPORT OF ACTION TAKEN  
MEETING OF CREDITORS

In re:

LUIS IGNACIO RIVERA PEREZ

Case No. 19-03569-ESL

SILVIA ENID MORALES MORENO

Chapter 13

Attorney Name: ROBERTO FIGUEROA CARRASQUILLO\*

(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☒ UNFAVORABLE

- ☐ Feasibility
- ☐ Insufficiently funded
- ☐ Unfair discrimination
- ☐ Fails disposable income
- ☐ Fails liquidation value test
- ☐ Insuarence quote

- ☐ No provision for secured creditor(s)
- ☐ Tax returns missing
  - ☐ State - years
  - ☐ Federal - years

Pending/Items/ Documents:

- ☐ DSO Recipient's Information
- ☐ Evidence of being current with DSO
- ☐ Evidence of income

- ☐ Monthly reports for the months
- ☐ Public Liability Insurance
  - ☐ Premises
  - ☐ Vehicle(s):
  - ☐ Licenses issued by:

STANDING CHAPTER 13 TRUSTEE ALJUANRO OLIVERAS RIVERA  
REPORT OF ACTION TAKEN  
MEETING OF CREDITORS

In re:

LUIS IGNACIO RIVERA PEREZ

Case No. 19-03569-ESL

SILVIA ENID MORALES MORENO

Chapter 13

Attorney Name: ROBERTO FIGUEROA CARRASQUILLO\*

Trustee's objection to confirmation

☒ Objection to Confirmation

☐ Oral objection by creditor

ACP: 5

Household size: 2

Disp. Income under 1325(b)(2): -225.56

Matters:

INSUFFICIENT FUNDED, §1325 (b): Plan is insufficiently funded to pay secured and priority creditors.

FAILS LIQUIDATION VALUE TEST, §1325(a)(4):

1) Debtors need to amend Schedule A/B to correct Toyota Yaris year to read 2017, instead of 2016. Auto is in hands of debtors' daughter, who will continue paying it to Reliable (filed Claim #1).

2) Plan needs to correct provision in Part 8, to reflect that 2017 Toyota Yaris is owed to Reliable, not to BPPR.

3) Trustee will object exemption claimed over Rav4 since it is in possession of debtors' daughter.

4) Trustee will also object exemption claimed under Section 522(d)(8) since debtors have not provided evidence of the cash value.

5) Trustee will object exemption over Section 522(d)(2) since it was taken over 3 vehicles.

FAILS DISPOSABLE INCOME TEST, Section 1325(b)(1)(1):

5) SCMI line 18 Debtor has disclose life insurance expense of \$526.00. Debtors stated that these are not term policies, thus, they are not entitled to the expense. Amend SCMI accordingly.

6) Amend SCMI since joint debtor's gross income, including the Christmas bonus was approximately \$5,884.00.

7) Amend plan to devote part of the Christmas bonus.

DOES NOT PROVIDE FOR SECURED CREDITOR, §1325(a) (5): Plan does not provide for Reliable claim #1.

STANDING CHAPTER 13 TRUSTEE ALUANDRO OLIVERAS RIVERA  
REPORT OF ACTION TAKEN  
MEETING OF CREDITORS

In re:

LUIS IGNACIO RIVERA PEREZ

Case No. 19-03569-ESL

SILVIA ENID MORALES MORENO

Chapter 13

Attorney Name: ROBERTO FIGUEROA CARRASQUILLO\*

OTHER: 1) Provide evidence of income from 2nd half of May and 1st half of June.

The following party(ies) object(s) confirmation:

s/Miriam Salwen

Date: 07/31/2019

Trustee/Presiding Officer

(Rev. 05/13)